

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MILFORD MUNICIPAL TELECOMMUNICATIONS UTILITY	DOCKET NOS. TCU-00-22 TF-00-94
---------------------------------------------------------------	-----------------------------------

ORDER GRANTING APPLICATION AND APPROVING MAP

(Issued July 18, 2000)

On April 19, 2000, Milford Municipal Telecommunications Utility (Milford) filed an application for issuance of a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999), stating its intention to provide local exchange service to all of the exchange of Milford, and portions of the Arnold's Park exchange currently served by Qwest Corporation (formerly U S WEST Communications, Inc.). Milford provided notice to all affected parties.

Milford filed its own map of the proposed service territory which deviates from the current Qwest Corporation local exchange service area for the Arnold's Park exchange. Additional information was provided on May 22, 2000, to justify the deviations noted in Milford's proposed exchange boundary map. According to the May 22, 2000, filing, the boundary lines were drawn based upon a requirement that, as a municipal corporation, service must be provided to all areas within the boundaries of the city. The Utilities Board (Board) finds that the map filed by the applicant substantially complies with 199 IAC 22.20(3) and shall be approved.

Milford is a Board of Trustees organized under Iowa Code Chapter 388 to operate a communications utility for the City of Milford and is a cable operator as defined by federal law. Pursuant to Iowa Code § 476.29(13), "approval by the voters of a city pursuant to section 388.2 of a proposal to establish or acquire a public utility providing communications services is conclusive evidence of the fact that the city has the technical, financial, and managerial ability to provide such service." The City Council of the City of Milford held a special election on August 10, 1999, and Milford has been authorized by vote of its people to establish a communication utility.

Milford has filed a separate statement on June 15, 2000, indicating that it will provide a 2-PIC methodology for intraLATA and interLATA dialing parity.

Iowa Code § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the Board finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with public interest." The Board has reviewed Milford's application and finds Milford has demonstrated that it has the necessary technical, financial, and managerial ability to provide local exchange service. It is in the public interest to grant a certificate to Milford.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity, filed by Milford Municipal Telecommunications Utility on April 19, 2000, as clarified by its May 22, and June 15, 2000, filings, is granted, subject to the requirement that follows.

2. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service offered by Milford Municipal Telecommunications Utility, the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.

3. The map filed by Milford Municipal Telecommunications Utility is approved.

UTILITIES BOARD

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 18th day of July, 2000.